U.S. Treasury Dept.
[Washington, D.C.]

1908

40338
R

TREASURY DEPARTMENT

OFFICE OF THE SECRETARY

WASHINGTON November 23, 1908.

Mr. Howland Wood,

Secretary, American Numismatic Association,

93 Perry Street,

Brookline, Mass.

Sir:

Replying to the inquiry in your letter of November 19th, addressed to the Treasury Department, I beg to enclose a copy of amended Section 3 of the Act of Congress approved February 10, 1891, which you must interpret for yourself or seek the advice of your attorney.

Respectfully,

John E. Wilkie

Chief.

Encl.

[PUBLIC—NO. 71.]

AN ACT further to prevent counterfeiting or manufacture of dies, tools, or other implements used in counterfeiting, and providing penalties therefor, and providing for the issue of search warrants in certain cases.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person who, within the United States or any Territory thereof, makes any die, hub, or mold, either of steel or plaster, or any other substance whatsoever in likeness or similitude, as to the design or the inscription thereon, of any die, hub, or mold designated for the coining or making of any of the genuine gold, silver, nickel, bronze, copper or other coins of the United States that have been or hereafter may be coined at the mints of the United States, or who willingly aids or assists in the making of any such die, hub, or mold, or any part thereof, or who causes or procures to be made any such die, hub or mold, or any part thereof, without authority from the Secretary of the Treasury of the United States or other proper officer, or who shall have in his possession any such die, hub, or mold with intent to fraudulently or unlawfully use the same, or who shall permit the same to be used for or in aid of the counterfeiting of any of the coins of the United States hereinbefore mentioned shall, upon conviction thereof, be punished by a fine of not more than five thousand dollars and by imprisonment at hard labor not more than ten years, or both, at the discretion of the court.

SEC. 2. That every person who, within the United States or any Territory thereof, without lawful authority, makes, or willingly aids or assists in making, or causes or procures to be made, any die, hub, or mold, either of steel or of plaster, or of any other substance whatsoever, in the likeness or similitude, as to the design or the inscription thereon, of any die, hub, or mold designated for the coining of the genuine coin of any foreign Government, or who conceals or shall have in possession any such die, hub, or mold hereinbefore mentioned, with intent to fraudulently, or unlawfully use the same for counterfeiting any foreign coin, or who knowingly suffers the same to be fraudulently used for the counterfeiting of any foreign coin shall, upon conviction thereof, be punished by a fine of not more than two thousand dollars or imprisonment at hard labor not more than five years, or both, at the discretion of the court.

SEC. 3. That every person who makes, or who causes or procures to be made, or who brings into the United States from any foreign country, or who shall have in possession with intent to sell, give away, or in any other manner use the same, any business or professional card, notice, placard, token, device, print, or impression, or any other thing whatsoever, whether of metal or its compound or of any other substance whatsoever, in likeness or similitude, as to design, color, or the inscription thereon, of any of the coins of the United States or of any foreign Government, that have been or hereafter may be issued as money, either under the authority of the United States or under the authority of any

foreign Government shall, upon conviction thereof, be punished by a fine not to exceed one hundred dollars.

SEC. 4. That all counterfeits of any of the obligations or other securities of the United States or of any foreign Government, or counterfeits of any of the coins of the United States or of any foreign Government, and all material or apparatus fitted or intended to be used, or that shall have been used, in the making of any of such counterfeit obligations or other securities or coins hereinbefore mentioned, that shall be found in the possession of any person without authority from the Secretary of the Treasury or other proper officer to have the same, shall be taken possession of by any authorized agent of the Treasury Department and forfeited to the United States, and disposed of in any manner the Secretary of the Treasury may direct.

SEC. 5. That the several judges of courts established under the laws of the United States and the commissioners of such courts may, upon proper oath or affirmation, within their respective jurisdictions, issue a search warrant authorizing any marshal of the United States, or any other person specially mentioned in such warrant, to enter any house, store, building, boat, or other place named in such warrant, in the daytime only, in which there shall appear probable cause for believing that the manufacture of counterfeit money, or the concealment of counterfeit money, or the manufacture or concealment of counterfeit obligations or coins of the United States or of any foreign Government, or the manufacture or concealment of dies, hubs, molds, plates, or other things fitted or intended to be used for the manufacture of counterfeit money, coins, or obligations of the United States or of any foreign Government, or of any bank doing business under the authority of the United States or of any State or Territory thereof, or of any bank doing business under the authority of any foreign Government or of any political division of any foreign Government, is being carried on or practiced, and there search for any such counterfeit money, coins, dies, hubs, molds, plates, and other things, and for any such obligations, and if any such be found, to seize and secure the same and to make return thereof to the proper authority; and all such counterfeit money, coins, dies, hubs, molds, plates, and other things and all such counterfeit obligations so seized shall be forfeited to the United States.

Approved, February 10, 1891.

○

[PUBLIC—No. 165.]

An Act To amend section three of the "Act further to prevent counterfeiting or manufacturing of dies, tools, or other implements used in manufacturing," and so forth, approved February tenth, eighteen hundred and ninety-one.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section three of an Act entitled "An Act further to prevent counterfeiting or manufacturing of dies, tools, or other implements used in manufacturing, and providing penalties therefor, and providing for the issue of such warrants in certain cases," approved February tenth, eighteen hundred and ninety-one, be, and it hereby is, amended so as to read as follows:

"SEC. 3. That every person who makes, or causes or procures to be made, or who brings into the United States from any foreign country, or who shall have in possession with intent to sell, give away, or in any other manner use the same, any business or professional card, notice, placard, token, device, print, or impression, or any other thing whatsoever, in likeness or similitude as to design, color, or the inscription thereon, of any of the coins of the United States or of any foreign country that have been or hereafter may be issued as money, either under the authority of the United States or under the authority of any foreign government, shall, upon conviction thereof, be punished by a fine not to exceed one hundred dollars. But nothing in this Act shall be construed to forbid or prevent the printing and publishing of illustrations of coins and medals, or the making of the necessary plates for the same, to be used in illustrating numismatic and historical books and journals and the circulars of legitimate publishers and dealers in the same."

Approved, March 3, 1903.